

**NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.**
See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24.

FILED BY CLERK

JUL 16 2010

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

THE STATE OF ARIZONA,)	2 CA-CR 2010-0011
)	DEPARTMENT B
Appellee,)	
)	<u>MEMORANDUM DECISION</u>
v.)	Not for Publication
)	Rule 111, Rules of
RUSSELL C. CLARK,)	the Supreme Court
)	
Appellant.)	
_____)	

APPEAL FROM THE SUPERIOR COURT OF COCHISE COUNTY

Cause No. CR200800724

Honorable James L. Conlogue, Judge

AFFIRMED

Hamilton Law Office
By Lynn T. Hamilton

Mesa
Attorneys for Appellant

K E L L Y, Judge.

¶1 Following a jury trial conducted in his absence, Russell Clark was convicted of unlawful possession of drug paraphernalia, a class six felony, possession of marijuana, a class six felony, and two counts of possession of a deadly weapon as a prohibited possessor, class four felonies. The trial court found Clark had “two or more” historical prior felony convictions and sentenced him to concurrent, presumptive terms of imprisonment, the longest of which was ten years. Clark appealed, and counsel has filed

a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), *State v. Leon*, 104 Ariz. 297, 451 P.2d 878 (1969), and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), stating she has reviewed the record and found no arguable issues to raise on appeal. She asks this court to review the record for “error.” Clark has not filed a supplemental brief.

¶2 Based on reports of drug activity at the home where Clark was living, Cochise County Detective Curtis Wilkins conducted a “knock-and-talk” investigation. Clark permitted Wilkins to walk around the house. When Clark showed Wilkins his bedroom, the officer noticed two glass pipes he recognized as items used for ingesting drugs. Wilkins then secured a search warrant, and found a loaded rifle, a plastic bag containing a white crystalline residue, and another plastic bag containing marijuana.

¶3 Viewed in the light most favorable to sustaining the verdicts, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), the evidence was sufficient to support the convictions, and the trial court imposed sentences within the statutory ranges established for the offenses. Pursuant to our obligation under *Anders*, we have reviewed the entire record for fundamental, reversible error and have found none. Therefore, we affirm Clark’s convictions and the sentences imposed.

/s/ Virginia C. Kelly
VIRGINIA C. KELLY, Judge

CONCURRING:

/s/ Garye L. Vásquez
GARYE L. VÁSQUEZ, Presiding Judge

/s/ Peter J. Eckerstrom
PETER J. ECKERSTROM, Judge